

**IN THE UNITED STATES DISTRICT COURT****FOR THE EASTERN DISTRICT OF PENNSYLVANIA****CROSS ATLANTIC CAPITAL PARTNERS, INC.,      CIVIL ACTION**

Plaintiff,

**NO. 07-CV- 02768-JP**

v.

**FACEBOOK, INC. and THEFACEBOOK, LLC,****JURY TRIAL DEMANDED**

Defendants.

**DEFENDANTS' NOTICE AND MOTION TO COMPEL FURTHER RESPONSES  
TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS;  
CERTIFICATION UNDER LOCAL RULE 26.1(F)**

COME NOW defendants Facebook, Inc. and Thefacebook, LLC (collectively "Facebook") by and through undersigned counsel, and hereby move to compel (1) further responses to Facebook Interrogatory Nos. 2 and 5; (2) documents responsive to Facebook Request for Production Nos. 3-5, 8-10, 12-15, 17-24, 30-32, 34, 41-45 and 50-58. Despite requests by Facebook, plaintiff Cross Atlantic Capital Partners, Inc. ("XACP") has refused to provide complete and substantive responses to plaintiff's Request for the Production of Documents and Plaintiff's First and Second Set of Interrogatories.

Pursuant to Civil Local Rule 26.1(f), counsel for Facebook hereby certifies that the parties, after reasonable effort, have been unable to resolve the dispute regarding these Interrogatories and Requests for Production with XACP. Facebook's efforts to obtain this discovery without court intervention are detailed in the accompanying memorandum.

The grounds for this motion are set forth in the accompanying memorandum and attached exhibits which are incorporated by reference as if fully set forth herein.

**WHEREFORE**, defendant Facebook respectfully requests that this Court enter an order granting its motion and ordering further responses and production of responsive documents within five days of the entry of the Order.

Respectfully submitted,

Dated: February 15, 2008

By: /s/ Heidi L. Keefe

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THEFACEBOOK, LLC

**CERTIFICATE OF SERVICE**

This is to hereby certify that on February 15, 2008, I caused a true and correct copy of the foregoing DEFENDANTS' NOTICE AND MOTION TO COMPEL FURTHER RESPONSES TO INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS; CERTIFICATION UNDER LOCAL RULE 26.1(F) to be served via this Court's Electronic Filing ("ECF") System, upon the following:

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/s/ Heidi L. Keefe  
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